

House Bill 200; January 19, 2015

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I vote **in support** of HB 200.

Question: Is there precedence, what is the cost and does it violate one's privacy?

1. **Precedence**: Yes! Military and the private sector are tested. I refer you to an article printed through a Delaware Online article that cites the U S Department of Health and Human Services. The history of drug testing is cited as well as nationwide numbers of affected people. Universal testing has been struck down in the courts of Florida. However, states that have probable cause testing and or screening have not been deemed unconstitutional. 18 states in 2014 passed laws for some type of testing of recipients receiving assistance from government programs.
2. **Cost**: Very costly if it is a "universal" mandatory testing. However, costs are productive if carefully applied. Many levels of "help" are addressed: If someone is in need of substance abuse help, it is identified and addressed. If someone is in an abusive and neglected family due to substance abuse, it is identified and addressed. If someone is abusing the system and denying someone who truly needs a hand up not just a hand out, then it is identified and addressed.
3. **ACLU Concern of Violation of Privacy**: Does this bill represent an unauthorized intrusion on someone's freedom? No. Recipients of tax dollars create a relationship with government agencies and are thus subject to accountability. Members of the military do not have a choice. Private sector employees have similar accountability requirements. Those associated with public safety issues of our society are heavily regulated by federal agencies, and again usually do not have a choice. Further, probable cause testing is not a violation of privacy, according to the states that have already passed legislation. Unions typically reject such accountability, but then negotiate terms.

In this instance, the taxpayer is the employer. The taxpayers are seeking accountability. Via testing, the taxpayer is seeking to prevent the abuse of finite taxpayer dollars in a valid and helpful program, not via universal testing or random testing, but via probable cause testing/screening in order to preserve the program for our truly needy citizens.

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Citations: National Conference of State Legislatures, DELAWAREONLINE (Hunter Biden drug test: Sailors Warned), Department of Defense INSTRUCTION/Subject/Military Personnel Drug Abuse Testing Program; Drug Testing At Work—FINDLAW; Just Say 'NO' to Drug Tests---Then Bargain | Labor Notes; ACLU Workplace Drug Testing; TANF Policy Brief

